

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Gary Edgar Del Angel-Del Angel *Principal*

Mexico

Case Number:

YOB: 1988

M-19-1856 -M

Carlos Cantu-Villareal

Co-Principal

Mexico

YOB: 1994

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 4, 2019 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Camerino Serafin-Alejo, a citizen of Mexico, and Cristian Ponce-Castro, a citizen of Honduras, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Alton, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii)
I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On August 4, 2019 a concerned citizen reported that a blue Dodge truck had picked up approximately ten (10) possible undocumented aliens near Inspiration Road and Military Highway in Mission, Texas. The concerned citizen was able to provide a direction of travel and stated the pickup traveled north on Inspiration Road. Based on the information, Border Patrol Agents were dispatched to the area.

Due to the reported information, a Border Patrol Agent operating a surveillance camera was searching the area for signs of the blue Dodge truck. After a brief search, the operator observed the Dodge pickup truck matching the given description traveling north on Inspiration Rd.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Approved by Robert Guerra AUSA
Sworn to before me and subscribed in my presence,

Julio C. Peña
Signature of Complainant

Julio C. Peña Border Patrol Agent
Printed Name of Complainant

August 6, 2019 - 2:56 p.m.
Date

at McAllen, Texas
City and State

Juan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

[Signature]
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-1856-M

**RE: Gary Edgar Del Angel-Del Angel
Carlos Cantu-Villareal**

CONTINUATION:

Agents responded to the area and attempted to make contact with the Dodge pickup. The Agents were unsuccessful since the pickup was travelling at a high rate of speed and was observed travelling against oncoming traffic in some areas.

A U.S. Coast Guard air unit was in the area and provided assistance in monitoring the pickup's direction of travel. The air unit was able to observe multiple subjects laying down in the bed of the truck attempting to conceal themselves. The air unit followed the pickup as it drove over several drainage features ultimately coming to a stop in a thick wooded area near Minnesota Rd. and Highway 107 in Alton, Texas. The air unit then reported several subjects fleeing from the pickup running through a wooded area. The air unit provide agents with a description of the subjects which exited the driver and front passenger area of the pickup. Once Agents arrived at the location, they were able to locate the two (2) subjects who were described fleeing from the pickup.

In addition, Agents were able to locate four (4) other subjects who were attempting to hide in the wooded area. All of the subjects were interviewed and freely admitted to being illegally present in the United States. Subjects were then transported to the McAllen Border Patrol Station to be process accordingly.

Principal Statements:

Gary Edgar Del Angel-Del Angel and Carlos Cantu-Villarreal were read their Miranda Rights. Both stated they understood their rights and were willing to provide a statement without the presence of an attorney.

Del Angel stated he was a citizen of Mexico and did not have any legal documentation to reside in the United States. Del Angel stated he was contracted and was going to receive \$500 to transport the undocumented aliens to an unknown location. Del Angel further stated he was only the driver and was receiving instructions from the subject in the passenger seat. He added the passenger was his friend and was communicating with someone on speaker over cellular phone. After picking up the undocumented aliens, Del Angel stated he saw Border Patrol and wanted to stop; however, the person on the phone told them not too. Del Angel finally stopped the vehicle and told everyone he was running and they should also. Del Angel explained the reason he didn't run too far was because he was tired and didn't know the area.

Del Angel identified Cantu, through a photo lineup, as his friend who was in the passenger seat.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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**RE: Gary Edgar Del Angel-Del Angel
Carlos Cantu-Villareal**

CONTINUATION:

Co-Principal Statements:

Cantu-Villareal stated he was a citizen of Mexico and did not have any legal documentation to reside in the United States. Cantu-Villareal stated he was a smuggled alien and crossed with the group of subjects and was waiting for the pickup vehicle.

Material Witness Statement:

Camerino Serafin-Alejo and Cristian Ponce-Castro were read their Miranda Rights. Both understood and agreed to provide a sworn statement without the presence of an attorney.

Serafin, a citizen of Mexico, stated he made the smuggling arrangements and was going to pay \$6,000. Serafin crossed the Rio Grande River along with ten (10) subjects. After crossing the river, he and the other subjects walked for approximately an hour before arriving to the pickup location. Serafin claimed they were told a blue truck would be picking them up. A short time later, Serafin claimed a blue truck arrived and all the subjects got in. Serafin stated there was already a front seat passenger when he boarded the bed of the truck. Serafin claimed he was fearful of the driver's erratic driving.

Serafin identified Del Angel, through a photo lineup, as the driver of the pickup truck.

Serafin identified Cantu, through a photo lineup, as the passenger of the pickup truck.

Ponce, a citizen of Honduras, stated his uncle made the smuggling arrangements but doesn't know how much was going to be paid. After crossing the river on a raft with several others, Ponce claimed they walked to the pickup location where a blue pickup truck was there to pick them up. Ponce stated he boarded the bed of the pickup truck and claimed he feared for his life because the driver was driving recklessly.